

TREATY

OF P E A C E,

Good Correspondence & Neutrality

I N

AMERICA,

Between the most Serene and Mighty Prince

JAMES II.

By the Grace of GOD,

King of *Great Britain, France and Ireland,*
Defender of the FAITH, &c.

And the most Serene and Mighty Prince

LEWIS XIV.

The Most Christian King :

Concluded the 10th Day of *Novemb.* 1686.

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TR EAT Y

OF THE

AMERICAN

JAMES H.

King of Great Britain, France and Ireland,

of the City of London,

of the County of Middlesex,

of the County of Middlesex,

of the County of Middlesex,

TREATY

Of Peace, Good Correspondence
and Neutrality in *America*,

Between the most Serene and Mighty Prince

JAMES the Second,

By the Grace of GOD,

KING of *Great Britain, France and Ireland,*
Defender of the Faith, &c.

And the most Serene and Mighty Prince

LEWIS the Fourteenth,

The Most Christian King :

Concluded the 10th Day of November 1686.

I.



It is Concluded and Agreed, That
from this day forward there be a
firm Peace, Union, Amity and
good Correspondence, as well
by Land as by Sea, between the *British* and

French Nations in America, as well Northern as Southern ; and within the Islands, Colonies, Forts, Cities and Governments (without exception of Places) belonging to the most Serene King of *Great Britain*, or to the most Serene most Christian King, and which are under the Jurisdiction of either King respectively.

II.

That no Ships or Vessels, great or small, belonging to the most Serene King of *Great Britain's* Subjects in the said *English* Islands, Colonies, Forts, Cities and Governments, shall be fitted out or employed to Invade or Attack the most Serene most Christian King's Subjects in their Islands, Colonies, Forts, Cities and Governments, or to do them any injury or damage. In like manner that no Ships or Vessels, great or small, belonging to the most Serene most Christian King's Subjects in the said *French* Islands, Colonies, Forts, Cities and Governments, shall be fitted out, or employed to Invade or Attack the most Serene King of *Great Britain's* Subjects.

in their Islands, Colonies, Ports, Cities and Governments, or to do them any injury or damage.

III.

That no Soldiers, Armed Men, or any others whatsoever, inhabiting and living in the said *English* Islands, Colonies, Ports, Cities and Governments, or who come out of *Europe* to be in Garison there, shall commit any Act of Hostility, or do any injury or damage directly or indirectly against the most Serene most Christian King's Subjects in the said *French* Islands, Colonies, Ports, Cities and Governments, neither shall they give any Assistance or Supplies of Men or Victuals to the barbarous or wild *Indians*, with whom the most Christian King shall have a War.

In like manner no Souldiers, Armed Men, or any others whatsoever inhabiting and living in the said *French* Islands, Colonies, Ports, Cities and Governments, or who come out of *Europe* to be in Garison there, shall commit any Act of Hostility, or do any injury

injury or damage directly or indirectly against the most Serene King of *Great Britain's* Subjects in the said *English* Islands, Colonies, Forts, Cities and Governments; neither shall they give any Assistance or Supplies of Men or Victuals to the barbarous or wild *Indians*, with whom the King of *Great Britain* shall have a War.

IV.

It is agreed, That both Kings shall have and retain to themselves all the Dominion, Rights and Pre-eminences in the *American* Seas, Roads, and other Waters whatsoever, in as full and ample manner as of right belongs unto them, and in such manner as they now possess the same.

V.

And therefore the Subjects, Inhabitants, Merchants, Commanders of Ships, Masters and Mariners of the Kingdoms, Provinces and Dominions of each King respectively shall abstain and forbear to Trade and Fish in
all

all Places possess; or which shall be possess by the one or the other Party in *America*, viz. The King of *Great Britain*'s Subjects shall not direct their Commerce and Trade, nor Fish in the Havens, Bays, Creeks, Roads, Shoars, or Places which the most Christian King holdeth, or shall hereafter hold in *America*; and in like manner the most Christian King's Subjects shall not direct their Commerce and Trade, nor Fish in the Havens, Bays, Creeks, Roads, Shoars, or Places which the King of *Great Britain* possesseth, or shall hereafter possess in *America*. And if any Ship or Vessel shall be found Trading or Fishing contrary to the Tenor of this Treaty, the said Ship or Vessel with its Lading (due Proof thereof being made) shall be Confiscated; Nevertheless the Party, who shall find himself aggrieved by such Sentence of Confiscation, shall have liberty to apply himself to the Council of State of that King; by whose Governours or Judges the Sentence has been given against him; and there complain of the Matter, which nevertheless shall not stop the Execution of the Sentence: But it is always to be understood,
That

That the Liberty of Navigation ought in no manner to be disturbed, where nothing is committed against the genuine sense of this Treaty.

VI.

It is also agreed, That in case the Subjects and Inhabitants of either of the Kings with their Shipping (whether Publick and of War, or Private and of Merchants) be forced through stress of Weather, pursuit of Pyrates and Enemies, or any other urgent Necessity, for the seeking of Shelter and Harbour, to retreat and enter into any of the Rivers, Creeks, Bays, Havens, Roads, Ports and Shoars belonging to the other in *America*, they shall be received and treated there with all Humanity and Kindness, and enjoy all friendly Protection and Help: And it shall be lawful for them to refresh and provide themselves at reasonable and the usual Rates with Victuals, and all things needful either for the Sustainance of their Persons, or Reparation of their Ships, and Conveniency of their Voyage; and they shall in no manner be detained or hindered from returning

out

out of the said Ports or Roads, but shall remove and depart when and whither they please, without any let or impediment: Provided always, that they do not break Bulk, nor carry out of their Ships any Goods, exposing them to Sale, nor receive any Merchandise on Board, nor employ themselves in Fishing, under the Penalty of the Confiscation of Ships and Goods, as in the foregoing Article is expressed. And it is further agreed, that whensoever the Subjects of either King shall be forced to enter with their Ships into the other's Ports, as is above mentioned, they shall be obliged at their coming in to hang out their Flag or Colours of their Nation, and give notice of their coming by thrice firing a Cannon, and if they have no Cannon, by thrice firing a Musket, which if they shall omit to do, and however send their Boat on Shoar, they shall be liable to Confiscation.

VII.

If any Ships belonging to either of the Kings, their People and Subjects, shall within the Coasts or Dominions of the other stick

upon the Sands, or be Wreckt (which God forbid) or suffer any Damage; all friendly Assistance and Relief shall be given to the Persons Shipwrackt, or who shall be in danger thereof, and Letters of Safe-conduct shall likewise be given to them for their free and quiet passage thence, and the return of every one to his own Country.

VIII.

When it shall happen, that the Ships of either Party, (as is abovementioned) through danger of the Sea, or other urgent cause, be driven into the Ports of the other, if they be Three or Four together, and may give just ground of Suspicion, they shall immediately upon their arrival acquaint the Governor or Chief Magistrate of the Place, with the Cause of their Coming, and shall stay no longer than the said Governor or chief Magistrate will permit, and shall be requisite for the furnishing themselves with Victuals, and the Reparation of their Ships.

IX.

It is also agreed, That the King of *Great Britain's* Subjects, inhabiting the Island of *St. Christophers*, may fetch Salt from the Salt-Ponds there, and carry the same away, as well by Sea as by Land, without any Hindrance or Molestation : And also that the Most Christian King's Subjects of the said Island may enter into the Rivers of the great Road, there to fetch or provide themselves with Water ; upon condition nevertheless, that the King of *Great Britain's* Subjects shall only in the day time lade Salt upon their Ships or Vessels ; and in like manner that the Most Christian King's Subjects shall fetch Water in the day time only. And also, that the Ships or Vessels, of either Nation, which shall come for Salt or Water, shall be obliged to give Notice of their coming, by hanging out their Flag or Colours of their Nation, and by thrice firing a Cannon, and if they have no Cannon, by thrice firing a Musquet. And in case any Ship of either Nation shall Trade or Tra-

sick under pretence of fetching Salt or Water, the said Ship shall be Confiscated.

X.

The Subjects of either Nation shall not Harbor the Barbarous or wild Inhabitants, or the Slaves or Goods, which the said Inhabitants have taken from the Subjects of the other Nation. Neither shall they give them any Assistance or Protection in their said Depredations.

XI.

The Governors, Officers and Subjects of either King shall not in any wise molest or disturb the Subjects of the other, in settling their respective Colonies, or in their Commerce and Navigation.

XII.

And the more to assure the Subjects of the King of Great Britain, and of the Most Christian King, that no Injury shall be offered.

red to them by the Ships of War, or private Men of VVar, of either side; all the Captains of the Ships as well of His Majesty of Great Britain as of the Most Christian King, and all their Subjects, who shall set out private Men of VVar; and likewise their Priviledged Companies shall be enjoyned not to do any Injury or Damage whatsoever to the other; which if they do, they shall be punished, and moreover be liable to satisfie all Costs and Damages by Restitution and Reparation, upon Pain and Obligation of Person and Goods.

XIII.

For this Cause all the Commanders of private Men of VVar shall from henceforth be obliged, before they receive their Commissions, to enter before a Competent Judge into good and sufficient Security, by able and responsible Men, who have no Part or Interest in such Ships, in the Sum of One Thousand Pounds Sterling, or Thirteen Thousand *Livres*, and when they have above One Hundred and Fifty Men, then in the Sum of Two Thousand

Thousand Pounds Sterling, or Six and Twenty Thousand *Livres*, that they will give full satisfaction for any Damages or Injuries whatsoever, which they or their Officers, or others in their Services, shall commit in their Courses at Sea, contrary to this present Treaty or any other whatsoever, between His Majesty of Great Britain and the said Most Christian King, and upon Pain of Revocation and Annulling their said Commissions; in which it shall be always inserted, that they have given such Security as aforesaid: And likewise it is agreed, that the Ship it self shall be also liable to make satisfaction for Injuries and Damages done by Her.

XIV. And whereas several Pirates Roving up and down the *American* Seas, as well Northern as Southern, do much damnifie Trade and molest the Subjects of both Crowns in their Navigation and Commerce in those Parts; it is agreed, that strict Orders shall be given to the Governors and Officers of both Kings, that they give no Assistance or Protection to any Pirates

Pirates of what Nation soever, nor suffer them to have any Retreat in the Ports or Roads of their respective Governments; and the said Governors and Officers shall also be expressly Commanded to punish, as Pirats, all such; who shall Arm out any Ship or Ships for Privateering, without lawful Commission and Authority.

XV.
No Subject of either King shall ask or take any Commission, or Letters of Mart for Arming any Ship or Ships to go Privateering in *America*, whether Northern or Southern, from any Prince or State, with whom the other is in War; and if any Person shall take such Commission or Letters of Mart, he shall be punished as a Pirate.

XVI.
The Most Christian King's Subjects shall have full Liberty to Fish for Turtles in the Islands of *Caymans*.

XVII.

XVII.

That in case it should happen, any differences or disputes should arise between the Subjects of the said Most Serene Kings in the said Islands, Colonies, Ports, Cities and Governments under the Dominion of either respectively, whether at Sea or at Land, this Peace and Good Correspondence shall not thereby be interrupted or infringed; but the said differences, which may happen between the Subjects of both Kings, shall be adjudged and determined by the Governors of each Jurisdiction respectively, where they shall have arisen, or by them whom they shall depute; and if the said differences cannot within the space of one Year be determined by the said Governors, they shall transmit the same, with the first, to the Most Serene Kings, to determine the same according to Justice; in such manner as they shall think fit.

XVIII.

It is further concluded and agreed, That if any Breach should happen (which God forbid)

forbid) between the said Crowns in *Europe*, no Act of Hostility, neither at Land nor at Sea, shall however be done by any of the most Serene King of *Great Britain's* Garisons, Souldiers or Subjects whomsoever of the Islands, Colonies, Forts, Cities and Governments, which now are, or hereafter shall be under the *English* Dominion in *America*, against the most Serene most Christian King's Subjects, inhabiting or residing in any of the *American* Colonies: Likewise reciprocally, that in the abovesaid case of a Breach in *Europe*, no Act of Hostility, neither at Land nor at Sea, shall however be done by any of the most Serene most Christian King's Garisons, Souldiers or Subjects whomsoever of the Islands, Colonies, Forts, Cities and Governments, which now are, or hereafter shall be under the *French* Dominion in *America*, against the most Serene King of *Great Britain's* Subjects inhabiting in any of the *American* Colonies, or residing there. But a true and firm Peace and Neutrality shall continue in *America* between the said *British* and *French* Nations in the same manner, as if such Breach in *Europe* had not happened.

XIX.

It is provided and agreed, That this present Treaty shall not in any wise derogate from the Treaty concluded between the said most Serene Kings at *Breda* the $\frac{21}{31}$ day of *July*, in the year of our Lord 1667. But that all and singular the Articles and Clauses of that Treaty shall remain in force and be observed.

XX.

That all Treaties or Articles at any time heretofore made and concluded between the said Nations, upon the Island of *St. Christophers* or elsewhere in *America*, shall be in force as formerly, and shall be observed on both sides as heretofore, unless where they shall be found to be contrary to this present Treaty.

XXI.

Lastly, It is agreed and concluded, That this present Treaty, and all and singular the Matters therein contained, shall, as soon as
may

may be, be ratified and confirmed, and that the Ratifications thereof shall within the space of two Months from the date of these Presents be reciprocally exchanged between both Parties: And within the space of eight Months, or sooner if it may be, be published in all the Kingdoms, Dominions and Colonies, as well in *America* as elsewhere, of both the Kings.

In Witness whereof, We, the Plenipotentiaries, have Signed and Sealed this present Treaty. Given in His Majesties Palace of *Whitehal* the ^{6th}/₁₀ day of *November* 1686.

Jeffreys C. (L. S.)

Barillon d'Amoncourt.

Rochester (L. S.)

(L. S.)

Sunderland P. (L. S.)

Middleton (L. S.)

Godolphin (L. S.)

F F N J S.

An Advertisement.

THe following Treaties, together with this Treaty, are all Printed in one Volume, and sold by *Edw. Poole* at the Ship in Cornhil.

Treaty of Peace and Commerce with *Spain*, 1667.

Treaty of Peace with *France*, 1667.

Treaty of Peace with *Denmark*, 1667.

Treaty of Peace with *Holland*, 1667.

Treaty of Navigation and Commerce with *Holland*, 1667.

Treaty of Navigation and Commerce with *Holland*, 1671.

Treaty of Friendship and Commerce with *Savoy*, 1669.

Treaty with *Spain* for settling Differences in *America*, 1670.

Treaty of Alliance and Commerce with *Denmark*, 1670.

Treaty of Peace with *Tunis*, 1674.

Treaty of Peace and Commerce with *Tripoli*, 1676.

Treaty of Peace with *Holland*, 1674.

Treaty Marine with *Holland*, 1674.

Explanatory Declaration of the Marine Treaties with *Holland*, 1677.

Capitulations and Articles of Peace with the *Ottoman Empire*, 1675.

Treaty Marine with *France*, 1677.

Treaty of Peace and Commerce with *Algiers*, 1682.
